

EXECUTIVE CHAMBERS

HONOLULU

July 10, 2006

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2265

Honorable Members  
Twenty-Third Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2265, entitled "A Bill for an Act Relating to Corrections."

This bill would transfer the supervisory and counseling functions of paroled individuals along with positions and employees from the field service branch of the Hawaii Paroling Authority to the Department of Public Safety.

This bill is objectionable because it creates a conflict of interest on the part of the Department of Public Safety in rendering services to be relied upon by the Hawaii Paroling Authority. The Hawaii Paroling Authority utilizes the reports and recommendations of its independent supervisory and counseling staff in its field service branch in rendering its decisions on whether to re-incarcerate parole violators. To the extent that the Department of Public Safety's interest is in the operation and management of jails and prisons and accommodating those committed to incarceration, its recommendations to the Hawaii Paroling Authority against re-incarceration could be called into question creating an undue conflict between the two governmental bodies.

+This bill erodes the independence and objectivity the Hawaii Paroling Authority must exercise when making decisions about recommitting convicted felons and also protecting the safety of the community.

The bill fails to note that the populations the Department of Public Safety supervises in its Intake Services Center are different from the populations the Hawaii Paroling Authority is responsible for supervising. It should be noted

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that the proposed transfer is opposed by those respected in the law enforcement community, including the Honolulu Prosecuting Attorney, Attorney General, members of the Judiciary, and the senior management of the Public Safety Department.

For the foregoing reasons, I am returning House Bill No. 2265 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read 'L. Lingle', is positioned above the printed name and title.

LINDA LINGLE  
Governor of Hawaii